

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

CYBOENERGY, INC.,

Plaintiff,

v.

**ALTENERGY POWER SYSTEM
USA, INC.,**

Defendant.

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CAUSE NO. WA-22-CV-1136-KC

SCHEDULING ORDER

The parties have submitted their Report of Parties' Planning Meeting, ECF No. 20. The Report of Parties' Planning Meeting is **ADOPTED** in part, and the Court **ORDERS** the following deadlines:

Motions to Transfer:	May 25, 2023
Preliminary Invalidity Contentions:	May 30, 2023
Exchange of Proposed Terms and Claim Elements:	July 10, 2023
Exchange of Preliminary Claim Constructions and Extrinsic Evidence:	July 31, 2023
Joint Claim Construction and Prehearing Statement:	September 1, 2023
Claim Construction Discovery Closes:	September 28, 2023
Claim Construction Opening Brief:	October 12, 2023
Claim Construction Response Brief:	October 26, 2023
Claim Construction Reply Brief:	November 3, 2023
Optional Technology Tutorials:	November 13, 2023

Markman Hearing:

November 27, 2023

IT IS FURTHER ORDERED that a trial date and all further pre-trial deadlines shall be issued following the Court's decision on claim construction.

IT IS FURTHER ORDERED that the parties shall participate in and complete a formal dispute resolution process by no later than October 12, 2023.

IT IS FURTHER ORDERED that the parties shall provide the Court with written notice listing the name and address of the dispute resolution provider by no later than July 12, 2023.

IT IS FURTHER ORDERED that the parties shall submit to the Court a written report pursuant to Rule CV-88 of the Western District of Texas Local Court Rules of the outcome of the alternative dispute resolution procedure ordered herein not later than three days after the conclusion of such procedure.

IT IS FURTHER ORDERED that in the event that an inter partes review proceeding ("IPR") is instituted, Plaintiff shall file notice with the Court within two weeks thereof.

SO ORDERED.

SIGNED this 27th day of April, 2023.


KATHLEEN CARDONE
UNITED STATES DISTRICT JUDGE